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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/545,888	04/07/2000	Akira Koyama	F-10110	2164
21254	7590	06/28/2005	EXAMINER	
MCGINN & GIBB, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817			RYMAN, DANIEL J	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/545,888

Applicant(s)

KOYAMA, AKIRA

Examiner

Daniel J. Ryman

Art Unit

2665

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 May 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

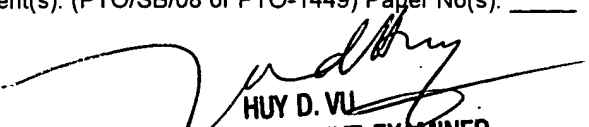
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: 1-5, 10 and 11.
Claim(s) objected to: _____.
Claim(s) rejected: 6-9, 15 and 18-20.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.


HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Continuation of 11. does NOT place the application in condition for allowance because: Regarding claims 6 and 7, Applicant asserts that Shima does not disclose transmitting and receiving a telephone signal over a serial bus wherein the serial bus also carries a television signal. Examiner, respectfully, disagrees. Shima discloses interconnecting the devices using a high-speed bus (col. 2, lines 8-20). Shima also discloses that devices located on the high-speed bus will receive telephone calls (col. 5, lines 1-26). Finally, Shima suggests that the devices located on the high-speed bus include televisions by disclosing the use of camcorders and VCRs (col. 3, lines 57-col. 4, line 3). Therefore, Shima discloses, or at the very least suggests, that the high-speed multimedia bus carries both telephone and television signals.

Regarding claim 8, Applicant asserts that a global call-in is different than a conference call because a conference call does not involve all telephones on the system. However, in the circumstance in which a conference call does involve all of the telephones on the system, then the conference call equates to Applicant's "global call." Applicant further asserts that the cited prior art does not disclose a "number display;" however, Applicant admits that the prior art discloses Caller ID. The Caller ID equates to a "number display" since the telephone number of the calling party is displayed using Caller ID. Finally, Applicant asserts that one of ordinary skill in the art would not be motivated to have the gateway select one of automatic transfer by a number display, a global call-in, or a manual call-in on the basis of setup data in order to determine the number of connections required for a call since Shima already performs this function. However, as Applicant notes, Shima only sends the call signal to all voice enabled devices. Thus, Shima's system will call every voice enabled device even if only a connection to a single voice enabled device is desired. However, in a system which permits a call to only a single voice enabled device, the system must determine the type of call in order to permit a system to correctly determine the number of connections required for a given call, i.e. a global call which will use multiple connections or a manual call which will use less than all connections.

Regarding claim 9, Applicant asserts that sending a message regarding bandwidth does not inform other devices of a call status. Examiner, respectfully, disagrees. Clearly if the bandwidth is consumed, then the connection has been established and is being used. Conversely, if the connection has failed then the bandwidth will be available for other devices to use. Thus, Shima suggests signaling the call status to other devices when Shima discloses signaling the other devices of the bandwidth availability of the network.